CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE EIGHT HUNDRED AND TWENTY-SIXTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 3 June 1999, at 10.15 a.m.

President: Mr. Mohamed-Salah Dembri (Algeria)

GE.99-62150 (E)

The PRESIDENT (translated from French): I declare open the 826th plenary meeting of the Conference on Disarmament.

First of all, on behalf of us all, I should like to extend a warm welcome to the new Permanent Representative of Brazil to the Conference, Ambassador Celso Amorim. Many of us here know him, many of us are honoured to be his friends, and that is also true of the current President of the Conference on Disarmament. I believe that Ambassador Amorim needs no introduction. Some of us will recall that he has already represented his country at the Conference, which he chaired in January 1993. He was then appointed as his country's Minister for Foreign Affairs, then Permanent Representative to the United Nations in New York. Just recently he occupied the Chair of the United Nations Security Council, and in particular the Commission entrusted with disarmament issues and monitoring and verification concerning Iraq, with the distinction and diplomatic talent we all know he possesses. I would not wish to offend his modesty by saying that he has participated in many brainstorming sessions on the major problems relating to disarmament throughout the world. I am sure that the Conference will be able once again to benefit from the extensive experience he brings with him.

On my list of speakers for today I have the representatives of the United States of America, Pakistan and Hungary. I call on the representative of the United States, Ambassador Grey, to take the floor.

Mr. Grey (United States of America): Mr. President, at the outset, may I express my personal pleasure and that of my delegation on your assumption of the presidency of the Conference? We look forward to working with you as you carry out the vital task of getting the CD back to work, a task in which I can assure you of our full support.

I am taking the floor today to respond to certain political issues raised by the distinguished representative of China during his last two plenary interventions. In his statements, he raised the issue of military actions taking place in Serbia. He condemned NATO for "flagrant military intervention against a sovereign State" and accused it of creating the humanitarian crisis in the region. That's wrong. Let's get the sequence right: it was not NATO actions that brought about the humanitarian crisis in the region; it was the humanitarian crisis, generated through the deliberate and inhumane policies of the Serbian Government, that brought about NATO actions. I note that the Chinese statements did not mention the hundreds of thousands of refugees made homeless and worse by those appalling policies. Similarly, China's statements did not recognize or appreciate the humanitarian impulses which brought about NATO actions in the region, nor the fact that many world leaders have supported those actions and lauded the principled stand taken by NATO countries.

Since the last Chinese statement on 27 May, the United Nations War Crimes Tribunal has indicted the leader of Serbia for war crimes and has issued arrest warrants for him and three other senior Serbian officials. This indictment stands as one of the strongest affirmations to date for the actions undertaken by NATO countries to end the humanitarian crisis caused by Serbian

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policies. The indictment firmly upholds the principle that States do not have the right to act with impunity in ways that violate humanitarian law and the human rights of their own or others' citizens, a principle that the United States has always supported, and which it will continue to support. As a citizen of the Commonwealth of Massachusetts, I note that this is what Lexington, Saratoga and Gettysburg were all about, and it is worth recalling this, especially today.

On another topic, the Chinese statement claimed that the United States has breached the Anti-Ballistic Missile Treaty by "announcing its decision to accelerate the research and development of missile defence systems". This is not correct. This research and development does not conflict with ABM Treaty provisions. As for deployment, the United States will not make a decision until the year 2000 or thereafter. In any event, the ABM Treaty remains a cornerstone of strategic stability for the United States and we are committed to continued efforts to strengthen the treaty and to enhance its viability and effectiveness.

Further strategic stability could be achieved were this Conference to proceed to negotiate a ban on the production of fissile material for nuclear weapons or other explosive devices. All United Nations Member States and NPT parties are committed to this task. It serves no purpose to create linkages which suggest that all the items we are considering have equal support in the Conference. This is not conducive either to the Conference's work or to its reputation as an effective multilateral negotiating body. The Conference should focus on the business at hand and do what we have all agreed to do. It would be both wise and prudent to leave alone the larger political issues which are not within this Conference's mandate. This has traditionally been the spirit in which the CD has worked to achieve the multilateral negotiating goals desired by the international community. I hope we can proceed in this spirit now and get back to work.

The PRESIDENT (translated from French): I thank the representative of the United States of America for his statement and the kind words addressed to the Chair. I now give the floor to the representative of Pakistan, Ambassador Akram.

Mr. AKRAM (Pakistan): Mr. President, at the outset, I would like to congratulate you on your assumption of the Presidency of the Conference on Disarmament. We are confident that your consummate diplomatic skills and renowned sagacity will impart a new impetus to our efforts at finding a balanced programme of work for the Conference. I would also like to express our deep appreciation to your predecessor, Ambassador Nguyen Quy Binh of Viet Nam, who worked with sincerity and diligence to advance the work of the Conference. I also join you in extending a warm welcome to the distinguished Ambassador of Brazil.

We must continue to hope that this Conference's greatest achievements in promoting disarmament and arms control are ahead and not behind us. The post-cold-war period offered a golden opportunity to advance the United Nations Charter's goals of collectively realizing stable peace and

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security and significant progress towards nuclear and conventional disarmament. There have been some significant achievements. Several agreements have been concluded, including the Comprehensive Test-Ban Treaty. Yet the focus has unfortunately remained limited to measures of nuclear non-proliferation. Complete nuclear disarmament remains, for the present, a "bridge too far".

Pakistan is concerned that recent developments may signify that the "golden opportunities" of the post-cold-war era may be ending. The past few months have witnessed a significant deterioration in the relations between the major global Powers. It is evident that in the capitals of two of these Powers considerable concern exists about the danger of unilateralism, domination and use of force emanating from the "sole super-Power".

Secondly, the determination in some circles to abrogate or erode the ABM Treaty, the launching of the companion programmes for national missile defence and theatre missile defence and the pursuit of new military technologies and weapons for deployment and use in outer space threaten to scuttle existing strategic nuclear arms control agreements, including START-II, and the prospects for further reductions in strategic and tactical nuclear weapons. On the contrary, the development and deployment of ABM and TMD systems may generate a new spiral - quantitative and qualitative - in a multipolar nuclear arms race.

Thirdly, the adoption of a renewed "Strategic Concept" by a regional military alliance - despite the declared end of the cold war - is bound to generate considerable concern in the wide spectrum of nuclear and non-nuclear States. This "Strategic Concept" asserts that nuclear weapons provide "the supreme guarantee of security of the allies". "Uncertain" and "unforeseen" future threats are offered as the rationale for maintaining huge arsenals of nuclear weapons. Among them is an inflated concern about the proliferation of weapons of mass destruction. Military attacks are justified against such capabilities of other States. And, it is asserted that the allies will ensure uncertainty in the mind of any aggressor about the nature of their response to military aggression. Such threats, including the possible use of nuclear weapons against non-nuclear-weapons States, represent an erosion of even the conditional negative security assurances offered to the non-nuclear-weapon States under resolutions 255 and 984 of the Security Council.

While Pakistan is not a party to the NPT, it seems to us that the operational "sharing" of nuclear weapons between nuclear and non-nuclear members of this alliance, reaffirmed by the Strategic Concept, constitutes a violation of the NPT's most basic obligations, set out in articles I and II of the Treaty. And the expansion of this military alliance also represents de facto horizontal nuclear proliferation. The double standards of some of the crusaders for the NPT's "nuclear world" are now even more evident.

Finally, the rest of the world cannot but be extremely disturbed by the references in the new "Strategic Concept" to new and unprecedented missions which can be conducted without recourse to the provisions of the United Nations Charter. This is contrary to Article 53 of the United Nations

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Charter, which states explicitly that "... no enforcement action shall be taken under regional arrangements or by regional agencies without the authorization of the Security Council ...". The only exception was made in the case of "enemy States", which do not exist any longer.

No State, or group of States, can assume the licence as a matter of standing policy to use force against other States. Unless these assertions of unilateralism are formally qualified or rescinded, they could unravel the entire concept of "collective security" which is the basis set out in the United Nations Charter for the maintenance of international peace and security.

The three concerns I have mentioned should be considered in the Conference on Disarmament under the items on nuclear disarmament, outer space and negative security assurances, respectively.

The proceedings of the Conference on Disarmament cannot remain impervious to the international political and strategic environment. This has always been so. It is disingenuous to express surprise at the difficulties encountered this year in arriving at an agreement on the CD's work programme, especially if there is no desire to ensure that it is a balanced and comprehensive work programme.

Mr. President, as you endeavour to promote such a comprehensive and balanced programme of work for the Conference, it is clear that intensive consultations will be required to address two critical issues on the CD's agenda, namely, nuclear disarmament and prevention of an arms race in outer space.

In document CD/1570, the Group of 21 submitted a draft programme of work envisaging the establishment of an ad hoc committee on nuclear disarmament. This did not prove acceptable to a few member States. We do not accept the assertion that the Conference cannot advance beyond the so-called "delicate compromises" of 1998. The consultative "troika" mechanism of last year was designed to advance the prospects for the establishment of an appropriate negotiating mechanism on nuclear disarmament. Last year's arrangement was not meant to keep the issue of nuclear disarmament in a permanent state of limbo. The "troika" mechanism has outlived its utility. The CD must now devote more serious attention to nuclear disarmament.

In a spirit of compromise and flexibility the Group of 21 accepted the suggestion put forward by the distinguished Ambassador of Venezuela, in his capacity as CD President, to establish a working group on nuclear disarmament with an appropriate mandate. It may be recalled that the proposal for a working group emanated from five Western Group members. By accepting the mechanism proposed by these five countries, the Group of 21 demonstrated its flexibility and constructive desire to advance the work of the Conference. It was understood that an appropriate mandate for the working group could be agreed through further consultations. It is regrettable that this avenue for promoting compromise was not actively pursued. My delegation believes that as a first step towards meaningful negotiations on nuclear disarmament, the

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mechanism of a working group represents the least common denominator and agreement on this mechanism should be promoted through further Presidential consultations.

Pakistan remains committed to its agreement to commence negotiations within the CD on a fissile materials treaty. It is unfortunate that, apart from the retrenchment of agreed bilateral arrangements, even the consensus evolved on this issue has been reopened in some recent proposals. We have agreed to early commencement of the FMT negotiations. But its early conclusion cannot be guaranteed in view of the continuing differences regarding the scope of the treaty. The creation of permanent ad hoc committees, in any case, is contrary to the rules of procedure of the Conference. If the FMT consensus is to be reopened, Pakistan would also seek inclusion of the concerns reflected in the amendments we proposed to the Canadian resolution on the FMT in the United Nations General Assembly.

In my statement here on 25 February 1999, I outlined the reasons why Pakistan believes that the item on outer space requires urgent attention in this Conference. As in the case of the FMT, the General Assembly also adopted a resolution without a vote envisaging the creation of an ad hoc committee on outer space. We do not comprehend the reasons which prevent the CD from creating an ad hoc committee to address this issue seriously. It is surely disingenuous to say that since there is at present no arms race in outer space, there is no need for an ad hoc committee. Should we wait until such an arms race is commenced? We my not have to wait too long.

Following on the plans formulated by the "stewards for military space" to which I referred in my statement last February, updated blueprints designed to achieve "full-spectrum dominance" in the twenty-first century have now been proposed. Together with other revolutionary military technologies, covering every aspect of modern-day armaments, recommendations have been made for a constellation of space-based lasers to provide global coverage for an array of space-orbiting vehicles which could unleash high-density kinetic energy weapons on ground targets. We believe that efforts towards militarization of outer space, or deployment of other weapon systems relying on a space dimension, will create new and dangerous instabilities. They would deal a serious blow to efforts for nuclear disarmament and possibly lead to a new race for more lethal and dangerous weapon systems, including nuclear weapons.

Prevention is better than cure. This is so for nuclear non-proliferation as well as for the threat of weapons proliferation in outer space. The international community must take action now to prevent outer space from being transformed into the new arena in the quest for global dominance and hegemony.

Pakistan has already expressed its support to the proposal made by China, in document CD/1576, for the establishment of an ad hoc committee on the item "Prevention of an arms race in outer space". We urge you, Mr. President, to hold Presidential consultations on this concrete and specific proposal with a view to evolving an agreed and substantive mandate for an ad hoc committee on outer space.

(Mr. Akram, Pakistan)

We look forward to arly Presidential consultations to enable the CD to agree on a comprehensive nd balanced work programme reflecting the priorities of all countries and gro s.

It is a year, to th day, that the Conference on Disarmament held an unprecedented special session to address the implications of the nuclear tests in South Asia. Responding to the concerns voiced at that session, Pakistan in its statement said the following:

> "... it must be acknowledged that the danger of conflict between Pakistan and India, whether conventional or non-conventional, arises from the underlying dispute over Jammu and Kashmir. It will not be sufficient to ease tensions and sweep this burning problem once again under the carpet."

We went on to say:

> "India and Pakistan have been unable to resolve this problem bilaterally for 50 years. It is ... time that the international community took collective action to try to implement the United Nations Security Council resolutions on Kashmir. At the very least, it should evolve a political framework within which a solution for Kashmir can be found. It should give active support and impetus to future bilateral negotiations between Pakistan and India on Kashmir. It should not allow India to circumvent genuine negotiations on the Kashmir issue ...".

The P-5 communiqué and Security Council resolution 1172 did mention the need for a resolution of the Kashmir issue. Unfortunately, the international help and assistance to promote a solution that was promised by the major Powers has been less than forthcoming. In the subsequent bilateral dialogue between Pakistan and the United States, Kashmir and Pakistan-India relations was included as one of the five items on the agenda.

Pakistan believes that encouraging progress has been made in this bilateral dialogue with the United States. In response to positive gestures, we agreed to the FMT negotiations here in the CD. We took steps to augment our already robust export controls. We engaged in a substantive and constructive dialogue on strategic and missile restraint. We submitted a concrete proposal for a strategic restraint regime in South Asia. And, in the United Nations General Assembly, Prime Minster Nawaz Sharif recalled Pakistan's consistent support for the CTBT, and expressed our readiness to adhere to the Treaty "in conditions free from coercion and pressure". Our Prime Minster elaborated, by adding:

> "In this regard, we expect that the arbitrary restrictions imposed on Pakistan by multilateral institutions will be speedily removed. We also expect that discriminatory sanctions against Pakistan will be lifted. And we count on the full support of the world community for a just resolution of the Jammu and Kashmir dispute."

(Mr. Akram, Pakistan)

Pakistan does not resile from its solemn commitments. Yet reciprocal agreements and understandings also need to be respected. The emplacement of deliberate roadblocks in removing the coercive environment cannot be helpful in advancing mutually agreed objectives. We trust that the positive momentum we had welcomed will be speedily restored. Let me also recall that as our Prime Minister emphasized in his address to the General Assembly, "on the nuclear issue, Pakistan will insist on the principle of equal treatment with India".

It is regrettable that while progress has been made in our dialogue with the United States on what has been called the four "legs" of the elephant, the problem of Kashmir has been treated as its "trunk" and, even worse, as its "tail". Fortunately, other parts of the anatomy were not mentioned. We have welcomed the help of our friends in securing a positive response from India to our Prime Minister's initiative to open a bilateral dialogue on Kashmir. An eight-point agenda, including Kashmir and peace and security, as well as negotiating mechanisms, were agreed. Prime Minister Nawaz Sharif went further by inviting Prime Minister Vajpayee to Lahore and in promoting the Lahore Declaration and the accompanying Memorandum of Understanding. Pakistan submitted a concrete proposal for a strategic restraint and arms control regime in South Asia to India.

As the United Nations High Commissioner for Human Rights has stated in her recent report on Kosovo: "Any durable solution to the crisis in Kosovo will have to be built on a solid foundation of respect for human rights ...". This is equally true for Kashmir.

Before, during and after the Lahore summit, Pakistan had appealed to India, directly and through the major Powers, to halt its campaign of repression and human rights violations in Kashmir. As Foreign Minister Sartaj Aziz stated in the Commission on Human Rights on 7 April 1999, "it would be counter-productive for India to talk peace with Pakistan while it simultaneously pursues a war against the Kashmiri people".

India has deployed an occupation army of nearly 700,000 in Kashmir, which engages in "crackdowns" and killings every day. Over the past 10 years, over 50,000 innocent Kashmiris have been killed and an equal number maimed and injured. Thousands of Kashmiris languish in Indian jails and detention centres. It is not surprising, therefore, that the Kashmiri people should resist the Indian occupation and repression by all the means at their disposal and seek help from any quarter they can for their legitimate freedom struggle. As the distinguished Ambassador of the United States has just stated in his statement, there is a principle that States do not have the right to act with impunity in ways that violate humanitarian law and human rights.

The present crisis in Kashmir has been caused by India's overreaction to a military reversal in its Kashmir war, and by its effort to involve and attack Pakistan in an attempt to explain this reversal to its own public opinion. For the past several weeks, Indian forces have continued shelling our territory across the Line of Control. Repeated ground attacks are being launched every day against Pakistani posts on the Line of Control. They have

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targeted two schools inside Azad Kashmir, killing over a dozen schoolchildren between the ages of 7 and 14. While resorting to the unprecedented air strikes against the Kashmiri freedom fighters, Indian aircraft intruded repeatedly into our airspace on 26 and 27 May despite our warnings. Two MiG aircraft were shot down by our ground forces 8-10 kilometres within our side of Kashmir. The Indian explanations of how their aircraft intruded into our airspace are patently false and disingenuous. Since 27 May and the shooting down of the two aircraft no further air incursions have been reported.

From the outset, our Prime Minister has taken several initiatives to defuse this crisis. On 24 May, he suggested to Prime Minister Vajpayee that the Directors-General of Military Operations of the two sides should hold talks. The Indian Director-General of Military Operations was however not forthcoming in the ensuing exchanges. On 26 May, Prime Minister Nawaz Sharif wrote to the United Nations Secretary-General, urging him to send a special envoy and to strengthen UNMOGIP to verify India's complaints about Pakistan's alleged involvement. As the Indian Prime Minister himself revealed to the press, "we have rejected the suggestion of the United Nations Secretary-General to send a special envoy to India and Pakistan". On 28 May, Prime Minister Nawaz Sharif telephoned his Indian counterpart and, besides urging him to halt the aerial operations, artillery fire and ground attacks, proposed to send Pakistan's Foreign Minister to New Delhi for talks to defuse the crisis. After three days, India says it has accepted "in principle" to receive our Foreign Minister. We do not witness any great sense of urgency in New Delhi to do so.

It should be underlined at this stage that, firstly, the situation along the Line of Control is serious and there is an obvious and inherent danger of escalation. The day before yesterday, Indian troops launched three ground assaults against Pakistani positions on the Line of Control. They were repulsed. I must emphasize that Pakistan has continued to act with self-restraint. No one in Pakistan has contemplated the nuclear dimension in this crisis. Yet, as our Prime Minister has said: "Two nuclear Powers should never be in a state of confrontation".

Secondly, our offer of talks to India is a gesture of our desire to avoid escalation and restore peace and dialogue. It would be a grave mistake, however, for anyone to misconstrue this gesture as a sign of weakness.

Thirdly, regardless of the outcome of India's air and ground operations against the Kashmiri freedom fighters, it is obvious that the Kashmir issue can be constructively addressed and eventually resolved only if India halts its brutal campaign of repression in Kashmir and ceases its artillery and ground attacks on Pakistan positions on the Line of Control.

If and when India agrees to talks, we shall offer suggestions to defuse the crisis and restore the dialogue process. We trust the international community will extend its support to realize these objectives.

The PRESIDENT (translated from French): I thank the representative of Pakistan for his statement and the kind words he addressed to me. I now give the floor to the representative of Hungary, Ambassador Náray.

Mr. NÁRAY (Hungary): Mr. President, since this is the first time that my delegation is taking the floor under your presidency, I wish first of all to congratulate you on your assumption of the post of the President of the Conference. I am also taking this opportunity to welcome the Ambassador of Brazil who has just joined us and I wish him every success in his endeavour.

The reason I wish to take the floor today is to make a very brief announcement, which I hope will contribute positively to the atmosphere of the Conference. The announcement is as follows: On 1 June this year, the National Assembly of the Republic of Hungary unanimously ratified the Comprehensive Nuclear Test-Ban Treaty. This, we do believe, is an affirmative proof of my country's dedication and contribution to the cause of nuclear disarmament and also to regional and global peace and security. I wish to recall that Hungary is one of the 44 countries the ratification of which is necessary for the entry into force of the Treaty.

The PRESIDENT (translated from French): We have come to the end of the list of speakers. Do any other delegations wish to take the floor at this stage? I give the floor to the representative of Brazil.

Mr. AMORIM (Brazil) (translated from French): Mr. President, allow me first of all to extend to you my warmest congratulations on taking the Chair of the Conference on Disarmament and to express my appreciation for the intensive efforts you are making in order to get our work under way.

After coming to know you a few years ago when you were Minister for Foreign Affairs, it is a great pleasure to meet you in Geneva. In addition to being the Permanent Representative of a country which is a friend of Brazil, among other personal qualifications you are a connoisseur of the Brazilian literature and culture, which shows the scope and the humanistic character of your mind, qualities which in my view are indispensable for presiding effectively over the work of disarmament, above and beyond the specific technicalities of our tasks.

While assuring you of my full support and that of my delegation, I wish you every success in your tasks at this difficult time for our Conference. May I also express the appreciation my delegation feels for the work accomplished by your predecessors, Ambassador Binh of Viet Nam and Ambassador Rodríguez Cedeño of Venezuela? I also take this opportunity to convey the thanks of the Brazilian delegation to the Secretary-General of the Conference, Mr. Vladimir Petrovsky, his deputy, Mr. Abdelkader Bensmail - good friends - and the other competent members of the secretariat.

(continued in English)

I asked for the floor first of all to thank you for the kind and warm words of welcome that you and other colleagues have addressed to me. I am

(Mr. Amorim, Brazil)

particularly pleased to return to Geneva and meet some of the friends that I made here and elsewhere. I regret that some of them may be departing as I come.

The CD was a gratifying experience to me, both personally and professionally. During my previous stay, for reasons of alphabetical determinism, the privilege of presiding over this Conference also fell upon me. That occurred immediately after the conclusion of that model instrument of disarmament, the Chemical Weapons Convention, which I had the honour to sign in Paris on behalf of the Brazilian Government. In a way, the CD was then facing if not the same at least a similar quandary as it is facing now, and at that point, I think, a combination of flexibility and attachment to principled positions enabled us to come to some relevant decisions concerning the work programme as well as specific items, such as the preparation of the CTBT. The lessons transmitted by many colleagues then and those that I have drawn from my participation in this Conference proved to be invaluable in my subsequent responsibilities, both in Brasilia and in New York. As before, it is my intention to continue to learn from and work closely with you and other colleagues on ways and means of advancing the important issues at hand in this body.

This being my first intervention in this body, I think it would be presumptuous on my part to make any profound statement on the subjects before us. On the other hand, it would be remiss of me if I do not at least touch upon one point, although very briefly.

General concerns have been expressed with regard to the fact that the CD has been unable to start substantive work. I do not need to elaborate on that because much has already been said on the possible implications of the current stalemate for the credibility of the CD. Inaction on measures which are long-awaited and which enjoyed consensus support already, such as the fissile material treaty, cannot but call into question, in the eyes of Governments and public opinion alike, the relevance of what we are doing here. However, from a different perspective, the work of the CD cannot be dissociated from the current standstill in nuclear disarmament as well as external developments affecting international security and strategic stability. Accordingly, the credibility of this forum would be related not only to action or inaction but also to the manner in which it can address the concerns and aspirations of humankind as a whole, which calls for a redoubling of efforts on measures for disarmament, especially those leading to the total elimination of nuclear weapons.

Simply putting those preoccupations forward, however, without a corresponding willingness to compromise and move away from maximalist or minimalist approaches on the two outstanding issues, does not seem to help us overcome the current logjam. Brazil continues to believe that compromise on the nuclear disarmament issue should be sought and similar approaches could be considered to address the question of the prevention of an arms race in outer space.

(Mr. Amorim, Brazil)

Knowing so well your abilities and skill, I am confident that you will lead us to a balanced and comprehensive solution for our programme of work. This, I presume, will require a balanced approach, susceptible to reconciling enlightened pragmatism with the ideals that have inspired the creation of this forum - first and foremost, the achievement of a nuclear-weapon-free world in the not-so-distant future.

The PRESIDENT (translated from French): I thank the representative of Brazil for his statement and the kind words he addressed to me. I now call on the representative of India, Ambassador Kunadi.

Ms. KUNADI (India): Mr. President, since this is the first time my delegation is taking the floor under your presidency, allow me to express our deep satisfaction in seeing you guide our proceedings with your characteristic skill. We would also like to place on record our appreciation for the diligent efforts put in by the previous President, the Ambassador of Viet Nam, for carrying forward our work in the CD. I take this opportunity to extend a warm welcome to Ambassador Celso Amorim of Brazil and wish him all success.

It was not my intention to seek the floor today, but I have been constrained to do so by the remarks made by the Ambassador of Pakistan about the situation in the Indian State of Jammu and Kashmir. The Conference on Disarmament is not the forum for the discussion of such issues, but since Pakistan has sought to raise it today, we feel that the facts of the case must be set out clearly.

The facts are that India has been the subject of armed intrusion amounting to aggression on our territory. Since the beginning of last month, a large number of Pakistani-backed armed intruders, under the cover of intense artillery shelling, pushed into Indian territory across the Line of Control in the Kargil sector. Evidently, Pakistan hoped that these armed intruders would succeed in consolidating their positions so that they could pose a continuing threat to peace and security in Jammu and Kashmir. This is yet another instance of Pakistan's persistent efforts to infiltrate terrorists across the Line of Control, in pursuit of its designs on Jammu and Kashmir, an integral part of India.

The international community has been made aware of the causes for the current developments in the Kargil sector and the direct responsibility of Pakistan in the aggravation of tensions in the region. In spite of the grave provocations which are totally contrary to the letter and spirit of the Simla Agreement and the Lahore Declaration, India has shown repeatedly restraint in exercising its legitimate right of self-defence and its inalienable right to vacate aggression from its territory. The Indian defence forces have been conducting operations on our side of the Line of Control, and these operations will continue until the objective of putting an end to the armed intrusion in the entire Kargil sector and the restoration of the status quo ante is attained. Let there be no doubt about our determination to vacate this aggression.

(Ms. Kunadi, India)

Our desire for good-neighbourly relations with Pakistan was once again made amply clear in the historic initiative of the Prime Minister of India to visit Lahore in February this year. India has called upon Pakistan to join us in following up on the Lahore Declaration which commits the two countries to work purposefully in building confidence and trust and put in place a stable structure of cooperation and resolve all outstanding issues through peaceful bilateral discussions. The Indian Prime Minister has considered and accepted the offer made by Pakistan to send Foreign Minister Sartaj Aziz to India. The dates for this visit will be worked out through diplomatic channels.

The present situation has been created entirely by Pakistan's provocative activities. It is for Pakistan to make amends. Neither direct aid and abetment of armed intrusions into Kargil nor raising the issue here in forums such as the CD will contribute to decreasing tensions nor improving relations with India.

The PRESIDENT (translated from French): I thank the representative of India for her statement and the kind words addressed to the Chair. I now give the floor to the representative of China, Ambassador Li Changhe.

Mr. LI (China) (translated from Chinese): First of all I would like to express our warm welcome to the new Ambassador of Brazil. Just now his statement made a deep impression on me. I am convinced that his outstanding abilities and rich experience will greatly benefit the work of the CD.

Secondly, concerning the statement made by the distinguished United States representative just now, I would like to make a brief response. His speech concerned the reasons for military action against the Federal Republic of Yugoslavia, or rather his explanation for the military action against Yugoslavia. Here I would like to simply point out that rather more countries have views different from those held by the United States and some other States. We are told that the military action against Yugoslavia is for humanitarian reasons and to defend human rights. The gruesome fact is that the past 70-odd days of indiscriminate bombing on a small and weak country have wounded and killed thousands of civilians and seriously damaged the national economy and living conditions in Yugoslavia. The Yugoslav people's basic human right to survival has been seriously harmed. Just after the bombing began there was a massive exodus of hundreds of thousands of refugees from the State. Not only has the indiscriminate bombing not resolved the humanitarian and human rights issues, it has caused the biggest humanitarian disaster since the Second World War. Ethnic conflict in Kosovo is actually an internal affair for Yugoslavia, and should be resolved by the Yugoslav people themselves.

According to the principles of the United Nations Charter, other countries do not have the right to use military force or the threat of military force to intervene. To use ethnic conflict within a country as a pretext for wielding military force, to embark on fresh interventionism claiming that human rights are more important than sovereignty, is actually to

(Mr. Li, China)

use human rights to trample upon other countries' sovereignty and interfere in their internal affairs of other countries, and build a new, hegemonic world order.

I would like to also emphasize here that deluding the United Nations into taking military action against Yugoslavia has destabilized the system of collective security established after the Second World War on the basis of the United Nations Charter.

These actions have had serious and far-reaching consequences for international security and disarmament. The task of the CD closely linked to international peace and security; therefore, in the words of the representative of the United States, "larger political issues" cannot be "left alone", for they inevitably have an influence over the work of the CD. In his speech the distinguished delegate of the United States admitted that the United States is indeed engaged in research and development on missile defence programmes - and what is the objective of such research and development? We are told that a decision - on whether to deploy or not - will not be taken until the year 2000 or thereafter: that is, the possibility of future deployment cannot be ruled out. The fact is, it is hard to imagine a State spending so much in material and financial resources just for the fun of it. I was glad to hear the distinguished United States delegate reaffirm that the ABM Treaty remains a cornerstone of international disarmament efforts. All countries, including China, attach importance to this statement of position by the United States delegate, but we will focus more attention on future actions. We hope that the United States can take genuine action to comply with the ABM Treaty, thus safeguarding strategic stability and the strategic balance throughout the world.

Mr. AKRAM (Pakistan): It will not surprise anyone that I should ask for the floor to respond to the remarks which have been made by my distinguished colleague from India.

Thomas Hobbes once said that force and fraud are in war the two cardinal virtues. We must confess that India has exercised these virtues considerably with regard to its war in Kashmir. Jammu and Kashmir is not Indian territory. It is disputed territory. You can look at any official map of the United Nations which emblazons Jammu and Kashmir as disputed territory. The United Nations Security Council has prescribed that the future of Jammu and Kashmir should be determined by its people through the exercise of a United Nations-supervised plebiscite, through democracy.

The oldest United Nations peacekeeping force is deployed in Kashmir, but unfortunately now only on the Line of Control on the Pakistani side, since India refuses to accept the United Nations peace observers on its side. Pakistan supports the Kashmiri freedom struggle. This struggle has been waged for 50 years, and most intensely for the last 10 years. It has been met with brutal suppression by the largest occupation force in the history of foreign occupation and colonialism - 700,000 troops in an area which is the size of Belgium, larger than the entire NATO and former Warsaw Pact armies combined.

(Mr. Akram, Pakistan)

Pakistan supports morally, politically and diplomatically the legitimate freedom struggle of the Kashmiri people. We apologize to no one for doing so.

There has been no infiltration in Kashmir. The Kashmiris own their homeland. They have a right to be in their homeland. It is Indian forces which do not have a right to be in Jammu and Kashmir. Yet Pakistan has sought a political solution to Kashmir, not a military solution. It was India which refused to put this issue on the agenda of the bilateral talks. It did so finally last year, and we welcomed that. The present military situation was not created by Pakistan but by India's disproportionate response to a reversal in its brutal campaign against the Kashmiri Mujahideen. The Indian military has sought to involve Pakistan by cross-border shelling, by attacks and by aerial incursions.

If India truly believes that Pakistan is involved, it should accept our offer to reinforce the United Nations military observers along the Line of Control. It should respond positively to the request of General Bali, the head of UNMOGIP, to visit the Kargil and Drass sectors in Jammu and Kashmir. This will establish the truth. The truth is that India is engaged in a war with the Kashmiri people, and India cannot explain to its population why it is facing such difficulties in this war. Six hundred, according to India, perhaps even less, Kashmiri Mujahideen pitted against the entire Indian air force - 30,000 Indian troops. This is a brutal war, and we ask the international community to at least apply the same standards to Kashmir as we have heard this morning upheld for Kosovo. Are the people of Kashmir the children of a lesser God? We do not think so.

We have raised the issue here because we believe it impinges directly on international peace and security and on the work of this Conference. We trust and hope that our friends in this Conference will respond by counselling India to exercise restraint, to halt its brutal military campaign in Kashmir and to allow a political process as envisaged by the United Nations resolutions to resolve this issue.

Pakistan has offered to send its Foreign Minister - not to make amends. There are no amends that we need to make. If there are any amends to be made, they are to be made by India for its cruelty and brutalism against the Kashmiri people. It is the amends that are to be made by India for its aerial incursion into Pakistan, which resulted in two of its planes having been shot down. The amends have to be made by India for killing 14 of our schoolchildren in the last two days. The amends have to be made by India for attacking our posts. Even as I speak today, the attacks are going on our posts along the Line of Control. India talks peace in international forums, makes war in Kashmir and threatens its smaller neighbours, one and all. Nevertheless, we have taken the initiative for peace with the Secretary-General, with India itself. Our desire for dialogue is evident and open. There is urgency in the need to establish contact at the highest level and to avoid an escalation of the war that is taking place along the Line of Control. If India believes there is a danger of escalation, then it should respond urgently. If it believes that we are showing signs of

(Mr. Akram, Pakistan)

weakness, I must say again it is mistaken. It is a sign of our constructive approach, our restraint and responsibility as a nuclear Power. Let India not make a mistake of historic proportions.

Mr. GREY (United States of America): I would just like to respond very briefly to the remarks by my Chinese colleague. It is very clear that China and the United States have different views about humanitarian and human rights issues. This is unfortunate, but it is true, and recent history and upcoming anniversaries only reinforce this sad point. I just want to make clear that, despite these differences, we need to work together here on CD issues, and my delegation is prepared to do so in a spirit of compromise and understanding.

Mr. LI (China) (translated from Chinese): Excuse me for applying to take the floor again. I cannot but make a statement because my distinguished American colleague has just alluded to a number of matters that have nothing to do with this Conference. My delegation cannot but ask for this right of reply. If accusations are going to be made over internal Chinese matters on which history has long since rendered its verdict, my delegation considers this wholly unacceptable.

Mr. CHOWDHURY (Bangladesh): Mr. President, I am not responding to anyone but just to a situation. But before that, allow me to congratulate you on the assumption of your presidency. We know that you will carry forward the good work that was done by your predecessor, the Ambassador of Viet Nam. We are pleased not just because Algeria and Bangladesh have such close ties as they indeed do but we are aware of your prodigious capabilities and we are glad that these will be pressed into our service, and under your leadership, we hope to find the programme of work that we seek.

I speak specifically to the developments in South Asia. As we have heard, the situation along the Line of Control in the Kashmir area is not calm. Indeed, it is serious. As a country friendly to both India and Pakistan, Bangladesh would urge restraint, both strategic and tactical. We do so in the confidence that the values and elements that unite the South Asian peoples are indeed deeper than those that divide. Of course, there are differences that set them apart. This is obvious to see. But most of these flow from legacies that hearken back to a time when their countries were not independent. The fact that even to date these have not been resolved point to the persistent negative consequences of some elements of colonialism and their continued volatility. But the ample time that has elapsed and the evidence of what can happen if these are not resolutely addressed indicate that this must be done.

South Asian countries are democracies and we are proud of it. We need to work more to provide the economic emancipation our peoples richly deserve. That is Bangladesh's focus as it is also India's and Pakistan's. Our Prime Minister Sheikh Hasina travelled to both India and Pakistan last year. This she did to stress in these commonalities. Also, the capabilities that India and Pakistan have recently acquired in the military field enjoin upon them greater responsibilities. The region - and the world - expect these responsibilities to be discharged. We derive satisfaction from - indeed are

(Mr. Chowdhury, Bangladesh)

heartened by - the assertions of their leaderships that this will be done, and the present situation will indeed be contained. We look to Mr. Sartaj Aziz's planned visit to New Delhi and express the hope that, just as both sides have stated, this will initiate a positive process of constructive dialogue. Deliberations, honestly conducted and with good intentions, have in the past untied tighter Gordian knots.

The PRESIDENT (translated from French): I thank the representative of Bangladesh for his statement and the warm words addressed to the Chair. His statement brings us to the end of the list of speakers for this plenary meeting.

As I informed you during the last plenary meeting, I have indeed commenced a process of intensive consultations with a view to promoting agreement on the Conference's programme of work. At the time I said that agreement on this subject implied acceptable solutions on appropriate mechanisms relating to nuclear disarmament and the arms race in outer space. I have devoted all my efforts in recent days to the search for a compromise on these two pending issues, on the basis of all existing proposals. Those consultations have once again brought to light a desire shared by all to resolve these pending problems and to begin the Conference's substantive work without further delay. My consultations have also shown that the process in which we are engaged required concessions by all, as I need hardly remind you. Without wishing to minimize the difficulties we are facing, and they do exist, I think I can say that we appear to be on the right track and that our collective efforts will ultimately result in compromises, hopefully as soon as possible, which take into account the concerns and the priorities on all sides, and which are therefore capable of being accepted by all.

Since we have come to the end of our agenda, I wish to inform you, lastly, that the next plenary meeting of the Conference will take place on Thursday, 10 June 1999, at 10 a.m.

The meeting rose at 11.40 a.m.